

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CASE NO. 8:09CR368
)	
vs.)	
)	MEMORANDUM AND ORDER
ARIEL SANCHEZ-GARCIA,)	
)	
Defendant.)	

The Defendant challenges his conviction based on alleged grounds on ineffective assistance of counsel. The Defendant may not relitigate his § 2255 motion through Rule 60(b) in what is essentially a successive motion filed without the Eighth Circuit's approval. *United States v. Patton*, 309 F.3d 1093, 1094 (8th Cir. 2002).

1. The motion filed under Federal Rule of Civil Procedure 60(b)(6) (Filing No. 140) is denied; and
2. The Clerk is directed to mail a copy of this memorandum and order to the Defendant at his last known address.

s/Laurie Smith Camp
Chief United States District Judge